

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

COSTAL CONSTRUCTION ) CIVIL NO. 11-00115 HG-BMK  
COMPANY, INC., )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 NORTH AMERICAN SPECIALITY )  
 INSURANCE COMPANY, AS )  
 SUCCESSOR IN INTEREST TO )  
 UNDERWRITERS INSURANCE )  
 COMPANY; HASEKO HOMES, )  
 INC., HASEKO CONSTRUCTION, )  
 INC., JOHN DOES 1-10; JANE )  
 DOES 1-10; DOE PARTNERSHIPS )  
 1-10; DOE CORPORATIONS )  
 1-10; ROE "NON-PROFIT" )  
 CORPORATIONS 1-10; and ROE )  
 GOVERNMENTAL ENTITIES 1-10; )  
 )  
 Defendants. )  
 \_\_\_\_\_ )  
 )  
 HASEKO HOMES, INC. and )  
 HASEKO CONSTRUCTION, INC., )  
 )  
 Cross Claimants, )  
 )  
 vs. )  
 )  
 NORTH AMERICAN SPECIALITY )  
 INSURANCE COMPANY, AS )  
 SUCCESSOR IN INTEREST TO )  
 UNDERWRITERS INSURANCE )  
 COMPANY; )  
 )  
 Cross Defendant. )  
 \_\_\_\_\_ )  
 )  
 HASEKO HOMES, INC. and )  
 HASEKO CONSTRUCTION, INC., )  
 )  
 Third-Party )

Plaintiffs, )  
              )  
              )  
vs.           )  
              )  
              )  
CLARENDON AMERICA INSURANCE )  
COMPANY and MARSH U.S.A.,     )  
INC.; JOHN DOES 1-10; DOE    )  
PARTNERSHIPS 1-10; DOE      )  
CORPORATIONS 1-10; DOE     )  
ENTITIES 1-10; and DOE    )  
ORGANIZATIONS 1-10,        )  
              )  
              )  
Third-Party     )  
Defendants.     )  
\_\_\_\_\_  
              )  
              )  
MARSH U.S.A., INC.,        )  
              )  
              )  
              )  
Third-Party Cross     )  
Claimant,        )  
              )  
vs.            )  
              )  
              )  
NORTH AMERICAN SPECIALITY )  
INSURANCE COMPANY, AS     )  
SUCCESSOR IN INTEREST TO   )  
UNDERWRITERS INSURANCE    )  
COMPANY,        )  
              )  
Cross Defendant.     )  
\_\_\_\_\_

**ORDER ADOPTING MAGISTRATE'S FINDINGS AND RECOMMENDATION  
THAT THIRD-PARTY DEFENDANT MARSH USA INC.'S MOTION TO  
REMAND BE GRANTED IN PART AND DENIED IN PART (Doc. 46)**

Findings and Recommendation having been filed and served on all parties on April 29, 2011, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the Findings and Recommendation (Doc. 46) are

adopted as the opinion and order of this Court.

IT IS SO ORDERED.

DATED: May 24, 2011, Honolulu, Hawaii.



/S/ Helen Gillmor

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Helen Gillmor  
United States District Judge

Coastal Construction Company, Inc. v. North American Speciality Insurance Company, et al; Civ. No. 11-00115 HG-BMK; **ORDER**  
**ADOPTING MAGISTRATE'S FINDINGS AND RECOMMENDATION THAT**  
**THIRD-PARTY DEFENDANT MARSH USA INC.'S MOTION TO REMAND BE**  
**GRANTED IN PART AND DENIED IN PART (Doc. 46).**